

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DALE ARNOLD,
Petitioner

v.

FREDERICK FRANK,
BRADFORD COUNTY DISTRICT
ATTORNEY and ATTORNEY GENERAL
OF THE COMMONWEALTH OF
PENNSYLVANIA,
Respondents

Civil No. 1:00-CV-0775

Magistrate Judge Smyser

**FILED
HARRISBURG**

FEB 6 2001

MARY E. D'ANDREA, CLERK
Per _____
DEPUTY CLERK

PETITIONER'S MOTION FOR CONTINUANCE

AND NOW comes the petitioner, Dale Arnold, by his attorney Daniel I. Siegel of the Federal Public Defender's Office, and files this Motion for Continuance.

1. A brief in support of the petition for writ of habeas corpus is due to be filed on or before February 8, 2001.
2. Undersigned counsel has reviewed approximately one-third of the Common Pleas Court transcripts.
3. Counsel requests an additional month to complete the review of the transcripts and draft a brief in support of the petition.

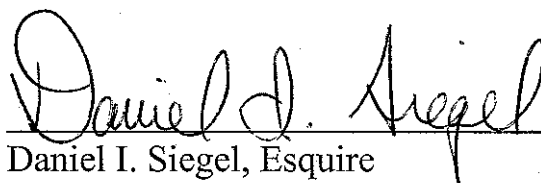
4. The Commonwealth concurs in this request for a continuance.
5. Undersigned counsel will not request another continuance.

WHEREFORE, it is respectfully requested that the deadline for filing a brief in support of the petition for writ of habeas corpus be extended to Thursday, March 8, 2001.

Respectfully submitted,

Date: _____

Feb. 6, 2001

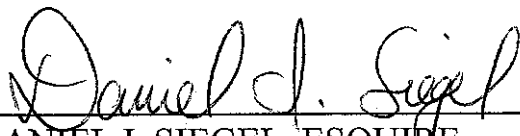
A handwritten signature in dark ink, reading "Daniel I. Siegel". The signature is written in a cursive, flowing style. The first name "Daniel" is written with a large, prominent "D". The last name "Siegel" is written with a large, prominent "S". The signature is written over a horizontal line.

Daniel I. Siegel, Esquire
Asst. Federal Public Defender
100 Chestnut Street, Suite 306
Harrisburg, PA 17101
Attorney for Dale Arnold
Attorney ID # 38910

CERTIFICATE OF CONCURRENCE

I, Daniel I. Siegel, of the Federal Public Defender's Office certify that on February 6, 2001, I contacted Assistant District Attorney Todd Hinkley and he concurred in the Motion for Continuance.

Date: Feb. 6, 2001



DANIEL I. SIEGEL, ESQUIRE
Asst. Federal Public Defender


CERTIFICATE OF SERVICE

I, Daniel I. Siegel, of the Federal Public Defender's Office do hereby certify that on this date I served a copy of the **PETITIONER'S MOTION FOR CONTINUANCE** by placing the same in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

Todd Hinkley, Esquire
Assistant District Attorney
Bradford County Courthouse
301 Main Street
Towanda, PA 18848

Dale Arnold
Inmate #AK 5044
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1112

Date: Feb. 6, 2001



DANIEL I. SIEGEL, ESQUIRE
Asst. Federal Public Defender
Attorney for Dale Arnold

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ORDER OF COURT

AND NOW this _____ day of February, 2001, upon
consideration of Petitioner's Motion for Continuance, **IT IS HEREBY**
ORDERED that the motion is **GRANTED**. A brief in support of the petition for
writ of habeas corpus shall be filed on or before Thursday, March 8, 2001.

BY THE COURT:

MAGISTRATE JUDGE J. ANDREW SMYSER
United States District Court